G. R. S. IX-5]

Previous references.

(Revenue

1917. 18

(Courts)

File No. 7-1

Serial Nos. 16

Later references.

Ct 180-18(1-2)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 164

Part B for October 1917

SUBJECT.

Memorial of Luigi for remission of the Sentence of transportation for life passed on her in Mysore Sessions Case No 10 of 1916-17

4) To the Registrar Chief Court.

No J 1434 dy 24-10-17

Forwards a copy of order passed by H. H. the Maharaja on the prisoner's memorial

W D 88—GPB—50,000—24-7-16

Md Abdur Rahiman

10. 11. 17

40

G. R. S. 11] 1917.

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 7-17

FILE HEADING.

Memorial of Luigi for remission of the Sentence of transportation for life passed on her in Mysore Sessions Case no 10 of 1916-17

From

The Registrar, Chief Court

No. 5/Cr Dated 4.7.17 Received 6.7.17

Diary No. 140	Enclos. 2 Records Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards the memorial addressed to HH the Maharaja by Luigi, praying for the remission of the Sentence of transportation for life passed by the Sessions Judge and confirmed by the Chief Court.

NOTES AND ORDERS.

Submitted
ASR 7/7

1) Is there not also that in such cases a more severe punishment should be awarded?

Eg 7.7.

V. VI 2) Submitted with a copy of G.O. no J 1237-47 dt 3rd Nov 1908. V. CS 83-08-2

ASR 8/7

10/7

NOTES—First Sheet

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2

General and Revenue Secretariat.

Courts File No. 7 of 1917-18

Serial No.

4) The facts of this case are very simple and clear. The accused was charged with the murder of her newborn child, tried by the Sessions Judge of Mysore, convicted and sentenced to transportation for life. The Chief Court in appeal affirmed the conviction and sentence.

5) The evidence of the Sub Assistant Surgeon clearly shows that the child was born alive and died of strangulation. There is also the evidence that the examination of the accused by the Lady Doctor showed clear signs of recent delivery. The place pointed out by her as that of delivery contained marks of blood. The accused ~~herself~~ confessed her guilt both before the Committing Magistrate as well as the Sessions Judge. There can therefore no doubt of the guilt of the accused.

6) But the attention of the Sessions Judge the Judges of the Chief Court does not seem to have been invited to the Notification No. 1237-47 Cr. dated 23. 08. 29 3-11-1908 which requires the Sessions Judge to make a reference to Govt. through the Chief Court regarding the propriety or otherwise of the reduction of the penalty.

NOTE—Contn. sheet.

WD 1233—GPB—60,000—1-12-16—S.

(3

60

G. R. S. III-2]

General and Revenue Secretariat. | Courts File No. 7 of 1917-18

Serial No.

7) Having regard to the nature of the crime, and the principles ~~accepted by the Court in the~~ underlying the above Notification the sentence awarded seems to be also severe. If approved, the attention of the Chief Controller is invited to the G.O. referred to and their opinion called upon in the matter.

EB
18/7

8) Sub)
A draft letter to the above effect may be sub° to the First Member

Decee
15/7

EB
18/7

9) Draft submitted.
Asst
18/7

10) In favour of approval.

EB
18/7

First Member)

210
17.7.17

RD
17/7
H bm.

11) Draft approved by the First Member
17.7.17

Sw A

2 To the Registrar each court
No 175 dated the 19th July 1917

In
12 June
EB
17.7

Invites attention to G.O. No 1237-47 dated 3-11-08 directing the Sessions Judge might make a reference to Court through the each court regarding the propriety or otherwise of any reduction of the awarded Penalty and calls for the views of the Judges in the matter.

Ch 83-08-2

NOTE—Contn. sheet.

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat.

Courts File No. 7 of 1917

Serial No. 3

From The Regr Chief Courts
No R.O.C 103/17-18 dt 24/27.8.1917
Returns the records and states that in the opinion of the Judges the Sentence proposed by the Sessions Judge, viz 5 yrs rigorous imprisonment, is suitable.

13) Submitted with reference to para 7, Supra.

29/8

14) Is a point for orders whether the recommendation may be accepted.

29.8.17

Dist Member) 15) May be accepted

3/9

887
3/9

Dewan)

1376
4.9.17

4-9-17

16) Laps - Please circulate and up for submission —

17.9.17

17) Circulate & put up DS

8/9/17

(For Disposal by Circulation)

No. C. 190

25/9/1917

GENERAL AND REVENUE SECRETARIAT.

COUNCIL MATTER.

SUBJECT.

(Clause vi of the Schedule)

18/ Memorial of Lingi for remission of the sentence of transportation for life passed on her in Mysore Sessions Case No.10 of 1916-17.

19/ CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

C S Balasubramanyam

21st September 1917. *Secretary to Government.*

Extraordinary Member of Council.

First Member of Council. 20/ Opinion recorded.

221/25-9-17 **Second Member of Council.** 21/ Rupee 4 3 7 22 4 2.5.17 7/10

WD 2670—GPB—1,000—11-5-17

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat. | of File No. 7 of 1917.

Serial No.

23) Sued with D7N 7D8N.
AM 2/10
VLL

24) In favour of approval
Ex 2/10

First Member)

1364/3.10.

25) Cyfor
VLL
2/10

26) Fair Final note signed by the First Member is put up
BOS 3/10/17

1958/4/10/17

Dewan)

VDS 3/10/17
BG 3/10

Final Note by the First Member of Council.

Subject:—

Memorial of Lingi praying for the remission of the sentence of transportation for life passed on her in Mysore Sessions case No.10 of 1916-17.

The Sessions Judge, Mysore Division, convicted Lingi of the murder of her new born child and sentenced her to transportation for life and on appeal the sentence was confirmed by the Chief Court.

2. On the submission of the memorial, the views of the Judges of the Chief Court were called for, under G.O. No. J.1237-47-cts.83-08-2 dated 3.11.1908, in regard to the propriety or otherwise of any reduction of the awarded penalty, and in reply they have recommended that the sentence in question may be reduced to five years' rigorous imprisonment.

3. The recommendation, which is agreed to by the Council, may be approved.

First Member of Council.

3rd Oct- 1917

Submitted to His Highness.

I submit herewith a Final Note by the First *Member of Council on the subject of* the memorial of Lingi praying for the remission of the sentence of transportation for life passed on her in Mysore Sessions case No.10 of 1916-17, *for His Highness' gracious approval.*

M. Krishnaya

Dewan.

10th Oct 1917.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Memorial of Lingi praying for the remission of the sentence of transportation for life passed on her in Mysore Sessions Case No.10 of 1916-17.

Order.

31) ~~KRW~~

13/10/17

Chief Secretary

14.10.17 do

To

Secretary

29/10

1640
29.10.17

228
31.10.17

Serial No.	
	33) Subd with draft and fair g'ment's orders, and a draft to the Registrar, chief Court.
	18/10
	34) In favour of Dewan's Kind Signature 18/10
	Dewan)
	20/10/17
	Draft and fair signed by the Dewan - 21. 10. 17.
	Issue 24/10/17
4	To The Registrar Chief Court
	No. J 1434 24th. Oct. 1917
8/4	Forwards a copy of order passed by H. H. the Maharaja on the Prisoner's Memorial.

9 40.

No. 5 with records
Cor.
Enc: 2 with records.

Courts
7-17
I.

Bangalore,

Dated 4th July 1917.

6 JUL 1917

From

THE REGISTRAR OF THE
CHIEF COURT OF MYSORE.

54-40

GEN. & REV. SECRETARIAT
II
JUDICIAL
6 JUL 1917

To

THE SECRETARY TO GOVERNMENT,
GENERAL ~~AND REVENUE~~ DEPARTMENTS.

Sir,

I am directed to forward a memorial addressed to His Highness the Maharaja by Lingi accused in Mysore Sessions Case No. 10 of 1916-17 on the file of the Sessions Judge of Mysore Division and appellant in Criminal Appeal No. 110 of 1916-17 on the file of this Court.

The entire record of the case is herewith forwarded.

I have the honor to be,
Sir,
Your most obedient servant,

Registrar.

SA

GPB—1,000—16-8-12

L. 777

31 [illegible]

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....J.40.....

GENERAL AND REVENUE SECRETARIAT,
(Cours)
, *the* 191 .

Date of issue.....19.7.17.....

Signed by.....W. G. Srinivasa

Section Courts
File No. 7-17
Serial No. 2

No. J 775 (Records)

To

The Registrar, Chief Court

Sir

With reference to your letter no. 5/Cr. dt. 4.7.17 forwarding the memorial of Lingi, accused in Mysore Sessions Case no. 10 of 1916-17, praying for the remission of the sentence of transportation for life passed by the Sessions Judge and confirmed by the Chief Court, I am directed to invite attention to G.O. no. J 1237-47 dt. 3.11.1908 Cts 83-08-2 directing that in such cases the

over.

Sessions Judge ~~should~~ might make a reference to Govt through the Chief Court regarding the propriety or otherwise of any reduction of the awarded penalty, and to request you to be so good as to furnish Govt with the views of the Judges in the matter.

2. The records received with your letter under reply are returned herewith, for reference and retransmission.

Yours &c
Sd/-
for Secy to Govt
Genl Deptt

Recd. 17/7/17

List of enclosure

Apl 1617

Copied by

Examined by

WD 86—GPB—60,000—15-11 16

DIARY No. 7482

C. C. .103/1917-18. Encl with Records.

28 AUG 1917

Chief Court of Mysore,
Bangalore, 24th August 1917.
272

From

N. T. GOPALIENGAR, Esq., B. A., LL. B.,
Registrar of the Chief Court of Mysore.

GEN. REVENUE SECRETARIAT
JUDICIAL
28 AUG 1917

To

D. M. NARASINGA RAO, Esq., B. A., B. L.,
Secretary to the Government of Mysore,
General Department.

S i r,

Adverting to correspondence ending with your letter No.J. 175/Cts.7-17-2 dated the 19th July 1917 inviting the views of the Judges in the matter of the remission of the sentence of transportation for life passed by the Sessions Judge of Mysore on the memorialist Lingi and confirmed by this Court, I am directed to forward herewith a copy of the Mysore Sessions Judge's No. 787/122 dated the 17/18th Instant recommending that the sentence in question may be reduced to five years rigorous imprisonment and to state that in the opinion of the Judges the sentence proposed by the Sessions Judge is suitable.

The records received with your letter under reply are herewith retransmitted.

I have the honor to be,
S i r,
Your most obedient servant,

N. T. Gopaliengar

REGISTRAR.

M.S.C.

Docket No.787/122 dated 17th/18th August 1917 from the Sessions Judge, Mysore Division to the Registrar of the Chief Court of Mysore, Bangalore.

His R. O. C. No.103/1917-18 dated 8th Instant.

In reply to the above has the honor to state that the prisoner in question may be given five years rigorous imprisonment.

The records are herewith returned.

(Sd) MIR HUMZA HUSEIN.

SESSIONS JUDGE.

"C O P Y"

R e g i s t r a r.

M.S.C.

No. J 1434 (Records) MYSORE GOVT. GEN. & REV. SECRETARIAT.
Ch 7-17-4

Dated, Bangalore 24.10. 1917.

From

The Chief Secretary to the Government of H. H. the Maharaja of Mysore.

To

The Registrar of the Chief Court of Mysore.

SIR,

I am directed to forward herewith for information of the Judges of the Chief Court and for communication to the prisoner Lingi undergoing sentence of transportation for life in the Bangalore Central Jail, copy of order passed by H. H. the Maharaja of Mysore, on the prisoner's memorial commuting the sentence of transportation for life to one of five years rigorous imprisonment.

2. The entire records received with your letter No R.O.C. 103/1917-18 dated 27. 8-1917 ~~191~~ are herewith returned.

I have the honor to be,
SIR,
Your most obedient servant,

Chief Secretary to Govt

G. R. S. VII—8-III/34]

In the Matter of a Memorial

Of Lingi praying for the remission of the Sentence of transportation for life passed on her in Mysore Sessions Case No. 10 of 1916-17.

His Highness the Maharaja

has been pleased to commute the Sentence of transportation for life to one of five years' rigorous imprisonment.

(illegible)

20/10/17

Dewan.

24.10.17

WD 02264—GPB—500—5-2-17

19.10